

# **EXHIBIT B**

**From:** [Robert Falanga](#)  
**To:** [Bernhardt, Linden](#)  
**Subject:** RE: Additional Document Production related  
**Date:** Monday, May 9, 2022 5:37:51 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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It is my understanding that Mr. Owens is scheduled for two days. The Fusion and Jones cases asked for two days as they have hours of questions for Mr. Owens on their Cross Motion for his deposition and I was told that the defendants would be taking up the whole first day for their questioning....

*Robert Falanga*



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**From:** Bernhardt, Linden <lbernhardt@cgsh.com>  
**Sent:** Monday, May 9, 2022 6:30 PM  
**To:** Robert Falanga <Robert@FalangaLaw.com>  
**Cc:** Kaiser, Steven J. <skaiser@cgsh.com>; Riccio, Nicole <NRiccio@bakerdonelson.com>;  
ggarrison@bakerdonelson.com; pcoggins@lockelord.com; bgaffney@lockelord.com;  
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**Subject:** RE: Additional Document Production related

Robert,

Mr. Owens' deposition is only scheduled for May 17. We have not scheduled a second day for May 18.

Regards,  
Lindy

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**Linden Bernhardt**  
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**From:** Robert Falanga <[Robert@FalangaLaw.com](mailto:Robert@FalangaLaw.com)>  
**Sent:** Monday, May 9, 2022 6:13 PM  
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**Subject:** RE: Additional Document Production related

Ms. Haygood will not be available as you have already booked day 2 of the David Owens deposition for that day....

*Robert Falanga*



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**From:** Bernhardt, Linden <[lbernhardt@cgsh.com](mailto:lbernhardt@cgsh.com)>  
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**Subject:** RE: Additional Document Production related

Robert,

As you know, Magistrate Judge Pham's order granting Defendants' motion to compel (ECF 189), entered on March 23, 2022, required Plaintiffs to produce responsive documents on behalf of Ms. Haygood, along with Plaintiffs American Spirit, Rockstar Championships, and Jeff & Craig Cheer, no later than April 18, which was three weeks ago. Today's production of 161 documents on behalf of Ms. Haygood violates Magistrate Judge Pham's order.

Furthermore, Ms. Haygood's deposition is tomorrow. It is inappropriate and prejudicial for Plaintiffs to wait until the last possible moment to produce 161 additional documents on behalf of Ms. Haygood that should have been produced weeks, if not months, ago. Due to Plaintiffs' belated

production on behalf of Ms. Haygood, Defendants cannot proceed with Ms. Haygood's deposition tomorrow. We ask that you make Ms. Haygood available for her deposition on May 18 to allow Defendants adequate time to review these additional documents.

For the avoidance of doubt, as with this production, any additional productions on behalf of Ms. Haygood, American Spirit, Rockstar Championships, and Jeff & Craig Cheer would violate Magistrate Judge Pham's order.

Given that Ms. Haygood's deposition is currently scheduled for tomorrow, please confirm that Ms. Haygood will be available on May 18 for her deposition as soon as possible but in any event no later than 5:00 PM Eastern today. Defendants reserve all rights.

Regards,  
Lindy

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**Linden Bernhardt**

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**From:** Robert Falanga <[Robert@FalangaLaw.com](mailto:Robert@FalangaLaw.com)>  
**Sent:** Monday, May 9, 2022 10:44 AM  
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**Cc:** Kobelah Bennah <[Kobelah@FalangaLaw.com](mailto:Kobelah@FalangaLaw.com)>  
**Subject:** Additional Document Production related

All:

The purpose of this email is to provide notification that additional documents have been produced, along with the ZIP file password for you to use to unlock the file. You can access the documents through Ricoh's FTP link with your credentials.

The password for the production titled AMSPIR003 is (\$qh<E2)

The documents being produced in AMSPIR003 are on behalf of the Plaintiff Ashley Haygood.

Please let me know if you have any questions or concerns.

Sincerely,

*Robert Falanga*

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